



Mid-Atlantic Fishery Management Council

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Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

April 20, 2018

Mr. Michael Pentony
Regional Administrator
National Marine Fisheries Service Greater Atlantic Region
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Mike:

Based on a call on April 19 between myself, Julia Beaty of my staff, John Almeida of the Office of General Counsel, and Doug Christel of your staff, it is our understanding that it is the responsibility of the Council to define the management unit for chub mackerel when considering whether to add it as a stock in the Mackerel, Squid, and Butterfish Fishery Management Plan. Based on the biology of the species and recent fishery conditions, possible management unit options could include Maine to North Carolina, Maine to Florida, Maine to Texas, or even the entire Atlantic EEZ (including the Caribbean). Whichever option the Council chooses should be justified based on the objectives of the FMP and the National Standard 3 Guidelines. It is also our understanding that the Council need not apply management measures to entire management unit. For example, the Council could select a management unit from Maine through Texas and develop management measures that apply from Maine through Virginia, with no management measures applied to North Carolina through Texas, provided the Council sufficiently justifies this choice.

If any of this does not align with your understanding of how the management process should work, please contact me as soon as possible. Please call me or Julia Beaty of my staff if you have any questions.

Sincerely,

Christopher M. Moore, PhD.
Executive Director, MAFMC

Cc: Luisi, Elliott, Beaty



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

Dr. Christopher M. Moore
Executive Director
Mid-Atlantic Fishery Management Council
Suite 201
800 N. State Street
Dover, DE 19901

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Dear Chris:

Thank you for the April 20, 2018, letter documenting your discussions with staff to help define a management unit for chub mackerel. It is important to clarify the difference between a biological stock (geographic distribution of a species based on available scientific information) and a management unit (the fishery or portion of a fishery in which management objectives and associated measures adopted in the fishery management plan (FMP) apply). As you note, available information suggests that the species is distributed beyond the Mid-Atlantic Council's jurisdiction and that the area from Maine through the Gulf of Mexico, at least, may define its biological stock area.

The Council does not need to designate a management unit throughout this entire biological stock area, current National Standard 3 Guidelines suggest that an FMP should cover the biological stock area for planning purposes. The Council could consider specifying the required status determination criteria, overfishing limit, and acceptable biological catch (ABC) for the entire biological stock area, and adopt management measures within a smaller management unit. For example, the Council could adopt an approach that applies all catch within the biological stock area against an overall ABC, but only specify an annual catch limit (ACL) and associated accountability measures (AM) for catch within a management unit from Maine or New York through North Carolina. The Council takes a similar approach with Atlantic mackerel in that it deducts Canadian catch from the overall ABC applicable to the biological stock area that includes Canadian waters, while ACLs and AMs only apply to fishery operations in the Federal Exclusive Economic Zone. This seems consistent with what you described in your letter, with the clarification that the biological stock area can differ from the management unit. As the Council further develops this action, it may determine that a different approach than described above is more appropriate. We are happy to work with you in evaluating any options the Council chooses to pursue.

We appreciate your efforts to proactively engage our staff on these issues, and look forward to continuing to work with you and the Council on this action. If you have any further questions, please call me or Doug Christel.

Sincerely,

Michael Pentony
Regional Administrator

